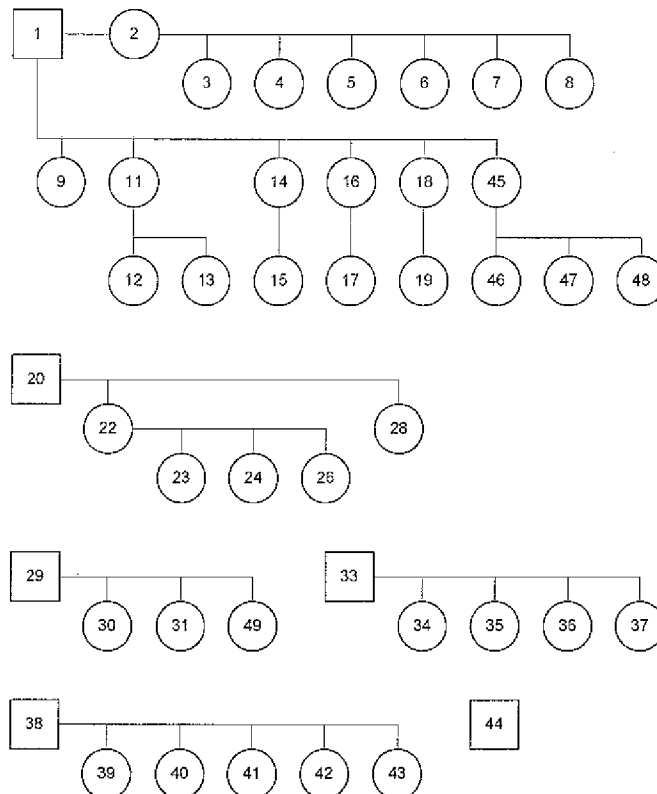


REMARKS

In view of the following remarks, Applicants respectfully request reconsideration of the subject application. An Office action mailed September 11, 2006 is pending in the application. Applicants have carefully considered the Office action and the references of record. In the Office action, claims 1-15, 18-27 and 29-37 were rejected under 35 U.S.C. § 102, and claims 16-17, 28 and 38-44 were rejected under 35 U.S.C. § 103. Claims 38-43 were further rejected under 35 U.S.C. § 101. In this response to the Office action, claims 1, 9, 11-12, 20, 22, 28-29, 33, 38 and 44 have been amended, claims 10, 21, 25, 27 and 32 have been canceled, and claims 45-49 have been added. Therefore, claims 1-9, 11-20, 22-24, 26, 28-31 and 33-49 are pending in the application. The following diagram depicts the relationship between the independent and dependent claims as amended.



1 Rejections of Independent Claims Under 35 U.S.C. § 102

2 Each of the independent claims 1, 20, 29 and 33 stands rejected under 35
3 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,457,028 to Pitkow et al.
4 (hereinafter *Pitkow*). However, the Manual of Patent Examining Procedure
5 (M.P.E.P.) states that a claim is anticipated by a reference **only** if each and every
6 element as set forth in the claim can be found in the reference and, furthermore,
7 that the **identical** invention **must** be shown in as complete detail as is contained in
8 the claim.

9 A claim is anticipated **only** if each and every element set forth in the claim
10 is found, either expressly or inherently described, in a single prior art
11 reference. ... The **identical** invention **must** be shown in as complete
12 detail as is contained in the ... claim.

13 (M.P.E.P. § 2131, subsection titled "TO ANTICIPATE A CLAIM, THE
14 REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM", emphasis
15 added). Each of the independent claims 1, 20, 29 and 33 include at least one
16 feature not described by *Pitkow*. For at least this reason, the rejections under 35
17 U.S.C. § 102 of the independent claims 1, 20, 29 and 33 should be withdrawn.
18 Examples of claim features not found in *Pitkow* are given below.

19 Independent claim 1 is directed to a computerized method that includes
20 modifying a data structure corresponding to a community of objects. Claim 1
21 references at least two types of community objects, namely: core objects and
22 affiliated objects. Furthermore, claim 1 requires that the data structure
23 corresponding to the community include at least two elements, namely: a set of
24 core objects and a set of affiliated objects. It is to emphasize that the community
25 is itself a first class object, having this corresponding data structure, that claim 1 is
herein amended.

1 A computerized method comprising ... identifying ... a set of core objects
2 for a data structure corresponding to a community ... and expanding ...
3 the data structure corresponding to the community ... to include a set of
4 affiliated objects.

5 (Independent claim 1, as amended). An example of a data structure in
6 accordance with the requirements of claim 1 is described in the specification with
7 reference to Figure 1. (Specification, page 8, lines 13-22). The Office action
8 mailed September 11 cites *Pitkow* as describing the identifying and expanding
9 steps of claim 1, but *Pitkow* fails to describe each element of claim 1 in as
10 complete detail as required by claim 1 at least because *Pitkow* fails to describe
11 expanding a data structure corresponding to the community of objects to include a
12 set of affiliated objects.

13 In rejecting the expanding step of claim 1, the Office action mailed
14 September 11 references several aspects of *Pitkow*. In particular, parallels are
15 drawn with identification of related document collections using link information
16 extracted with citation analysis.

17 A citation analysis technique, such as co-citation analysis, is performed on
18 the set of documents to extract link information ... using the link
19 information, related document collections may then be identified using a
20 suitable analysis technique, such as clustering or spreading activation.

21 (*Pitkow*, column 3, lines 7-16). There are several issues here, but perhaps
22 the most salient is that nowhere does *Pitkow* describe expanding a data structure
23 corresponding to the community of objects to include the set of affiliated objects.
24 Even if the related document collections of *Pitkow* can be construed as affiliated
25 objects, mere identification does not meet the requirements of claim 1.

Reference is made in the Office action mailed September 11 to a similarity
between a community and "a Web site." (*Pitkow*, column 7, lines 8-10).
However, there is no description in *Pitkow* of a Web site expanding to include, for

1 example, related document collections. Therefore a Web site in *Pitkow* fails to
2 meet the role required of the data structure corresponding to the community of
3 objects in claim 1.

4 A comment on the “spreading activation” of *Pitkow* is perhaps also
5 pertinent. Spreading activation typically involves propagation of an object state in
6 a network of objects. *Pitkow* does not describe its spreading activation as atypical,
7 and certainly fails to describe how spreading activation might be used to expand
8 the data structure corresponding to the community of objects to include a set of
9 affiliated objects as required by claim 1.

10 Independent claim 1 is patentable for at least the reasons presented above.
11 Furthermore, independent claims 20, 29 and 33, as amended each include salient
12 features similar to those of independent claim 1, and are therefore patentable for
13 the same or similar reasons. In addition, independent claim 29 requires that the
14 data structure define the community, as contrasted with the requirement that the
15 data structure correspond to the community in claims 1, 20 and 33.

16 Dependent claims 9, 11 and 22 have been amended herein to bring them
17 into accordance with the independent claims from which they depend.

18
19 **Rejections of Independent Claims Under 35 U.S.C. § 103**

20 Each of the independent claims 38 and 44 stands rejected under 35 U.S.C. §
21 103(a) as being unpatentable over *Pitkow* in view of U.S. Publication No.
22 2002/0152222 to David M. Holbrook (hereinafter *Holbrook*). However, the
23 M.P.E.P. further states that, to support the rejection of a claim under 35 U.S.C. §
24 103(a), each feature of each rejected claim must be taught or suggested by the
25

1 applied references, and that each of the words describing each feature must be
2 taken into account.

3 To establish *prima facie* obviousness of a claimed invention, **all** the claim
4 limitations **must** be taught or suggested by the prior art. ... **All** words in a
5 claim **must** be considered in judging the patentability of that claim against
6 the prior art.

7 (M.P.E.P. § 2143.03, emphasis added). Each of the independent claims 38
8 and 44 as amended herein includes at least one feature not taught or fairly
9 suggested by *Pitkow* or *Holbrook*, alone or in combination, and is therefore
10 patentable for at least this reason.

11 In the Office action mailed September 11, *Holbrook* is cited as teaching
12 concentric circles. However, for at least the purposes of applying *Holbrook* to
13 independent claims 38 and 44, the circles of *Holbrook* are clearly limited to
14 graphical user interface (GUI) circles, whereas the organizing structures of the
15 present application are not so limited.

16 A concentric circle **model** of the community is defined.

17 (Specification, page 3, lines 15-16, emphasis added). Accordingly,
18 independent claims 38 and 44 are amended herein to make clear the graphics-
19 independent nature of the organizing structures required by the claims. Dependent
20 claims 12 and 28 are similarly amended.

21 **Rejection of Independent Claim 38 Under 35 U.S.C. § 101**

22 Independent claim 38 stands rejected under 35 U.S.C. § 101 as having no
23 tangible result. Independent claim 38 is further amended herein to make clear that
24 it is directed to a method having a tangible result, namely “instantiating a
25 community of objects.” (Independent claim 38, as amended).

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

3
4
5
6
7
8
9
10
11

13

14

15

16

18

19
20
21
22
23

25

1
2 Dated: November 13, 2006

By: /Brian G. Hart Reg. No. 44421/

Brian G. Hart, Reg. No. 44,421

Lee & Hayes, PLLC

600 17th Street, Suite 2800

Denver, CO 80202

(720) 904-9108 (telephone)

(720) 904-9124 (facsimile)